

RESOLUTION NO. 2010-33

**A CAPITAL PROJECT AUTHORIZING RESOLUTION OF
THE VILLAGE COUNCIL OF THE VILLAGE OF KEY
BISCAYNE, FLORIDA; PROVIDING FOR THE
ACQUISITION OF HAND HELD PORTABLE DIGITAL
RADIOS FOR THE FIRE RESCUE DEPARTMENT FROM
MOTOROLA, INC.; AUTHORIZING THE VILLAGE
MANAGER TO IMPLEMENT THE TRANSACTION;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Fire Rescue Department has a critical need to purchase fifteen (15) new portable radios, which are essential to the mission of the Department, to replace discontinued and non-compliant portable radios; and

WHEREAS, these older models of portable radios have been routinely used by the Fire Rescue Department during fire, medical and other hazardous situations and attrition has created a shortage of reliable radios; and

WHEREAS, Motorola, Inc. is the sole provider of the 800 MHZ Radio System which was previously acquired by the City of Miami after a sole source funding, and the operating and maintenance software for the system is proprietary to said company; and

WHEREAS, the Fire Rescue Department, as a result of the Automatic Aid and Ancillary Services Agreement with the City of Miami, relies solely on the radio system provided by the City of Miami; and

WHEREAS, the Village Manager and the Fire Chief recommend that the purchase of fifteen (15) XTX 5000R Digital Portable Radios with Accessories(the “ Equipment”) from Motorola, Inc., the sole source provider, be approved; and

WHEREAS, pursuant to Village Code Section 2-85, the Village Council finds that the use of formal competitive bidding procedures is impractical in light of the sole source factor which is stated above, and does hereby waive formal competitive bidding for the purchase; and

WHEREAS, the Village Council finds that the Equipment purchase is in the best interest of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE
VILLAGE OF KEY BISCAYNE, FLORIDA AS FOLLOWS:**

Section 1. Recitals Adopted. That the recitals set forth are hereby adopted and confirmed.

Section 2. Capital Project Authorizing Resolution.

That pursuant to Village Charter Section 3.07 (b), this Resolution shall constitute a Capital Project Authorizing Resolution. The Capital Project is the purchase of the Equipment. at a total cost not to exceed Fifty Seven Thousand Seven Hundred Fifty (\$57,750.00) Dollars .

Section 3. Purchase Authorized; Transaction Approved; Implementation

- A. That the Equipment purchase is hereby authorized .
- B. That the Village Manager is hereby authorized to purchase the Equipment at a cost which is consistent with Section 2 of this Resolution, using funds provided by the Capital Improvement Fund of the Village Budget, and is authorized to sign any necessary purchase orders or documents upon approval by the Village Attorney as to form and legal sufficiency.
- C. That the Village Manager is authorized to take any action which is necessary to implement the purchase transaction and this Resolution.

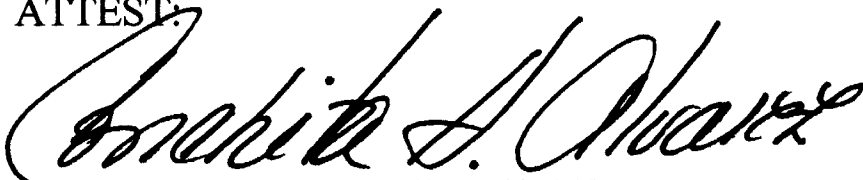
Section 4. Effective Date. That this Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 31st day of August, 2010.



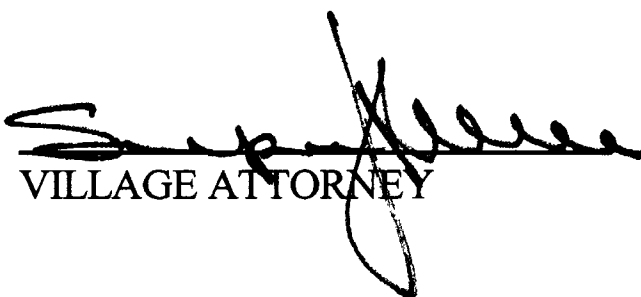
MAYOR ROBERT L. VERNON

ATTEST:



CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY